

Environmental Assessment

Whitefish River Trail Extension

March 29, 2019

Prepared for:



**Montana Fish,
Wildlife & Parks**

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Table of Contents

| | |
|---|----|
| PART I. PROPOSED ACTION DESCRIPTION..... | 2 |
| 1. Type of proposed state action: Development..... | 2 |
| 2. Agency authority for the Proposed Action:..... | 2 |
| 3. Name of project: | 2 |
| 4. Project sponsor:..... | 2 |
| 5. Anticipated Schedule: | 3 |
| 6. Location affected by proposed action (county, range and township):..... | 3 |
| 7. Project size: | 4 |
| 8. Permits, Funding & Overlapping Jurisdiction: | 5 |
| 9. Narrative summary of the proposed action: | 5 |
| 10. Description and analysis of reasonable alternatives: | 6 |
| Alternative A: No Action..... | 6 |
| Alternative B: Riverbend Route..... | 7 |
| Alternative C: Whitefish River Trail Extension (Proposed Action)..... | 8 |
| Alternative D: Miles Avenue Route with Switchbacks and Retaining Wall | 9 |
| Alternative E: Raised Boardwalk with Helical Piers | 10 |
| 11. Evaluation and listing of mitigation, stipulation, or other control measures: | 10 |
| PART II. ENVIRONMENTAL REVIEW CHECKLIST | 12 |
| A. PHYSICAL ENVIRONMENT | 12 |
| B. HUMAN ENVIRONMENT | 16 |
| C. SIGNIFICANCE CRITERIA..... | 19 |
| PART III. NARRATIVE EVALUATION AND COMMENT | 20 |
| PART IV. PUBLIC PARTICIPATION | 21 |
| PART V. ENVIRONMENTAL ASSESSMENT PREPARATION..... | 21 |

Appendices

| |
|---|
| APPENDIX A – Project Qualification Checklist |
| APPENDIX B – Proposed Action Conceptual Site Plan |
| APPENDIX C – City of Whitefish 1983 Grant of Easement |
| APPENDIX D – 2016 Riverbend Condo Presentation |
| APPENDIX E – WGM No Rise Memo |
| APPENDIX F – RPA Tech Memo Alternatives Evaluation |

**Whitefish River Trail Extension
Draft Environmental Assessment
MEPA, NEPA, MCA 23-1-110 CHECKLIST**

PART I. PROPOSED ACTION DESCRIPTION

1. Type of proposed state action: Development

This Environmental Assessment (EA) is intended to satisfy requirements of the Montana Environmental Policy Act (MEPA) for the installation of new pedestrian path that may affect the natural existing shape and form of the Whitefish River. The City of Whitefish proposes to construct a four-foot-wide gravel pedestrian path along the Whitefish River that will complete the connection between Kay Beller Park and the Burlington Northern Santa Fe (BNSF) Trail and, notably, complete a critical link in the city's River Trail system. This pedestrian path was made permissible by an easement from 1983, with City of Whitefish as Grantee, which assigns a perpetual public easement consisting of a six-foot width along the east bank of the Whitefish River located between Riverbend Homes Condominiums and the Whitefish River. The northern section of the path is located further from the river on the Inspiration Drive Properties. The City is in the process of acquiring an easement for the path section located on this property. Additionally, the City of Whitefish adopted the *Connect Whitefish Bicycle & Pedestrian Master Plan* in January 2017 that identifies this trail connection as a priority to complete and greatly improve the route within the City network named "Whitefish River Trail" near downtown Whitefish. The major construction activities will include:

- Construction a four-foot-wide gravel trail;
- Installation of signage to direct cyclists to dismount and walk bikes; and
- Installation of signage to indicate closures of the trail during peak flows.

The Project Qualification Checklist regarding applicability of the 23-1-110 rules is included as Appendix A. A site plan of the proposed action is provided as Appendix B. The 1983 easement document is attached as Appendix C to this report.

2. Agency authority for the Proposed Action:

The activities being proposed are regulated under section 87-5-502 et. seq. of the Montana Code Annotated (MCA), also known as the Montana Stream Protection Act (SPA) or the SPA 124 Permit Program. The SPA states an agency of state government, county, or municipality (applicant) shall not construct, modify, operate, maintain, or fail to maintain any construction project or hydraulic project which may or will obstruct, damage, diminish, destroy, change, modify, or vary the natural existing shape and form of any stream or its banks or tributaries by any type or form of construction without first notifying Montana Fish, Wildlife & Parks (MFWP).

3. Name of project:

Whitefish River Trail Extension

4. Project sponsor:

City of Whitefish

Karin Hilding, PE, LEED A.P., Senior Project Engineer

418 E. 2nd Street, Whitefish, MT 59937, 406-863-2450

5. Anticipated Schedule:

Estimated Commencement Date: Fall 2019 to optimize the opportunity to construct during low water and low pedestrian traffic.

Estimated Completion Date: Approximately 1-2 months duration to complete.

Current Status of Project Design (% complete): 100%

6. Location affected by proposed action (county, range and township):

The project site is located along the Whitefish River, immediately upstream from the U.S. Highway 93 (Hwy 93)/Second Street bridge with the nearest applicable address being 102-138 Miles Avenue and 4 Miles Avenue. The project is located within the urban limits of Whitefish, Montana, in Section 36, Township 31N, Range 22W of Flathead County. The Whitefish River is a state navigable waterway and is heavily used with recreational traffic, both alongside and within the river channel. The proposed trail will extend between the coordinates 48°24'38.80"N, 114°20'33.52"W and 48°24'43.92"N, 114°20'38.09"W. Figure 1 provides the general project location and vicinity with respect to the City center and Whitefish Lake. Figure 2 provides a closer perspective and the limits of the proposed pedestrian path.



Figure 1. Project Location and Vicinity



Figure 2. Project Location and Limits at Hwy 93 and Whitefish River

7. Project size:

The following tables provide an estimate on the number of acres that would be directly affected under the proposed action.

| Affected Areas | | Acres (sq. ft.) |
|-----------------------|----------------------------------|--------------------|
| <i>(a) Developed</i> | Residential* | 0.07 (3,143) |
| | Industrial | 0 |
| <i>(b) Open Space</i> | Woodlands/ Recreation | 0 |
| <i>(c) Wetlands</i> | Wetlands/ Riparian Areas** | 0.07 (3,143) |

| Affected Areas | | Acres (sq. ft.) |
|-----------------------|-----------------------|--------------------|
| <i>(d) Floodplain</i> | Floodplain | 0.04 (1,715) |
| <i>(e) Productive</i> | Irrigated Cropland | 0 |
| | Dry Cropland | 0 |
| | Forestry | 0 |
| | Rangeland | 0 |
| | Other | 0 |

*The total footprint of the 650 linear foot and four-foot-wide gravel pedestrian trail is estimated to equal 3,143 square feet, or 0.07 acres. The trail is located in a residential area and therefore the entire area of the path is included.

**No wetlands exist within the project limits and therefore no wetland impacts are anticipated. It is estimated that the total footprint of the four-foot-wide pedestrian path traverses the Whitefish River riparian area.

8. Permits, Funding & Overlapping Jurisdiction:

(a) **Permits:** permits will be filed at least 2 weeks prior to project start.

| <u>Agency Name</u> | <u>Permits</u> |
|---|--|
| US Army Corps of Engineers: | Federal Clean Water Act Section 404 permit |
| MT Department of Environmental Quality: | MPDES Stormwater Discharge General Permit (if disturbance is greater than one acre) |
| MT Fish, Wildlife, and Parks: | SPA 124 Permit |
| City of Whitefish: | Floodplain Development Permit |

| <u>Agency Name</u> | <u>Type of Responsibility</u> |
|-------------------------------|--|
| USACE | Regulates the discharge or placement of dredged or fill material into waters of the U.S., including wetlands. |
| MT DEQ | Regulates and monitors construction activities or facility operations that discharge into navigable waters. |
| MT FWP | Investigates (and approves or denies) the extent to which a streambed will be modified by construction or operation of a new facility. |
| City Floodplain Administrator | Permit appropriate facilities to be constructed within Special Flood Hazard Areas that will safely withstand flooding. |

(b) **Funding:**

| <u>Agency Name</u> | <u>Funding Amount</u> |
|--------------------|-----------------------|
| City of Whitefish | 100% of Project |

(c) **Other Overlapping or Additional Jurisdictional Responsibilities:**

| <u>Agency Name</u> | <u>Type of Responsibility</u> |
|--|---|
| Montana Natural Heritage Program | Species of Concern (see Part II.A.5. below) |
| Montana State Historic Preservation Office | Cultural Clearance |
| Flathead County Weed District | Weed Management Coordination |

9. Narrative summary of the proposed action:

This segment of four-foot wide gravel trail will be a step towards satisfying the City's priority list of "Tier 1: Immediate Considerations, 0-5 years" recommended trail network connectivity projects as described in the January 2017 *Connect Whitefish Bicycle & Pedestrian Master Plan*. This segment will also complete the connection between multiple groups of trail networks on the south side of the BNSF railroad.

Kay Beller Park and the trail along the Whitefish River regularly attracts pedestrians, families with strollers, cyclists, and wandering tourists, some of whom are trying to get to the City Beach from Kay Beller Park. The existing trail that travels north from Kay Beller Park ends immediately upstream as it passes under the Hwy 93 Bridge. At that point, trail users are required to make a decision:

- They can turn around and go back downstream;
- They can choose to go up the existing metal grated stairs that connect to Miles Avenue and chose one of two things:
 - Attempt to locate and connect to the next section of BNSF trail upstream; or

- Attempt an uncontrolled crossing (i.e., no pedestrian crosswalk) of Highway 93, which is a major arterial roadway that experiences over 15,000 vehicles per day.
- Additionally, it is important to note that the metal grated stairs are difficult to walk on with cycling specific shoes as well as while carrying an awkward and heavy jogging stroller.

Also in very close proximity of the future trail extension is the Whitefish Community Center (previously known as the Whitefish Golden Agers) and the Mountain View Manor. The Mountain View Manor is low income housing for the elderly, veterans, and the disabled. The Whitefish Community Center was established to facilitate health solutions and social integration for the community's population over 55 years old. Both establishments are very successful in providing much needed services for the community and the extension of the trail would provide an alternative to the stairway and better serve these establishments by allowing easier travel for those who walk with assistance.

The project includes construction of approximately 650 linear feet of four-foot-wide gravel pedestrian path. The path would be located within an existing easement adjacent to the Whitefish River and the Riverbend Condominium property. It would then continue north veering away from the river on the Inspiration Drive Property. The path would then connect on BNSF property to the existing City bicycle and pedestrian path. Approximately 370 linear feet of river bank would be impacted by the proposed trail. Approximately 70 linear feet of the path would encroach into the jurisdictional ordinary high water mark. At the north end of the proposed trail alignment, the path would be located about 62 feet from the river.

10. Description and analysis of reasonable alternatives:

This section provides a detailed description of each alternative considered. The progression of project alternatives include: no action, switchbacks with retaining walls, helical piers and a boardwalk along the river, and an 8-foot paved path along the river as the original Riverbend Route that is described in the 2016 Riverbend Condo Presentation found in Appendix D. The Riverbend Route evolved from the 8-foot paved path to a four-foot gravel path as described in Alternative B, then to another modification in alignment reflected in Alternative C now called the Whitefish River Trail Extension.

The proposed Whitefish River Trail Extension would be located within the existing easement near the Whitefish River, along the Riverbend Condominium property. It would then continue north further from the river on the Inspiration Drive Property. The path would then connect on BNSF property to the existing City bicycle and pedestrian path.

Alternative A: No Action

Under the No Action alternative the existing disconnect in the regional non-motorized trail network would remain and no new trail connection would be constructed. Implementation of the City's top trail priority under their approved bicycle and pedestrian master plan would not occur and continued safety issues would persist for bicyclists and pedestrians potentially crossing Hwy 93.

The existing conditions and lack of trail connectivity have proven to be awkward, confusing, and dangerous for cyclists and pedestrians using the trail. For the elderly and disabled, anyone

pushing a stroller, and cyclists wearing cycling specific shoes, the existing stairway is awkward and difficult to climb. Once at the top of the stairs it is unclear where the path continues to the north, and to the south an obvious option is to use a crosswalk across Hwy 93, which would bring a person back to where they came from originally. Figure 3 shows the existing trail just south of the Hwy 93 bridge. The trail dead ends immediately on the north side of Hwy 93.



Figure 3. Existing Trail to the South of Hwy 93 Bridge Looking North

Alternative B: Riverbend Route

The Riverbend Route following along the river and the six-foot easement provides a more scenic option adjacent to the river, and maintains the ambiance of the trail system routes coming from the south as well as the meandering trail to the north. Figure 4 shows the northern terminus of the existing trail directly south of the Riverbend Condominiums and underneath the Hwy 93 Bridge, where it is proposed to be extended straight forward up the river in the direction of the arrows in the figure. Bruce Boody Landscape Architects has provided detailed design and rendering of this route, as well as the Modified version mentioned in Alternative C. As shown in Figure 5 and Figure 6 below, the four-foot gravel path extends along the left (west) of the Riverbend Condominium Homes. This route keeps trail users off of the roadway safe from cars, and also provides an obvious straight forward pathway to follow. Furthermore, this route does not obstruct the river and provides safe and easy river access. The trail would be on compacted soils with gravel and will help protect the embankment in front of the condos from erosion over time. Portions of the trail are within the 100-year floodplain and are likely susceptible to inundation during high flows. Signage would be placed to block off the trail during high water events. Any construction near the river would have erosion control strictly enforced.



Figure 4. Existing Trail Conditions and View of Proposed Route

Alternative C: Whitefish River Trail Extension (Proposed Action)

At an on-site meeting with a representative of the Condominium owners a modification was proposed to move the path further from the northern condos. For the trail segment in front of the northernmost Riverbend homes, the homeowners preferred that the path be shifted down gradient closer to the river. They preferred more spacing between their homes and the passersby. The changes are subtle and can be compared between Figure 5 and Figure 6, which are screenshots from full size drawings provided by Bruce Boody Landscape Architects. WGM Group performed the hydraulic analysis for the existing MDT Whitefish West Bridge and they used the model as the existing conditions for the hydraulic analysis of the new pedestrian trail. The analysis used HEC-RAS to model the 100-year flow rate in Steady Flow condition. The model results determined that the construction of the new pedestrian trail will not cause a change in the base flood elevation (BFE). The resulting No Rise Memo documenting these findings has been included as Appendix E of this report. Furthermore, the width of construction disturbance of the four-foot gravel path will be limited to between four and no more than six feet. All machinery will be required to remain within the limits of construction, therefore, permitted equipment will include a super mini excavator, mini-skid steer, site dump truck, and compactor.

Figure 5 shows the original alignment of the trail that was later modified at the request of the homeowners, within the red dotted line.

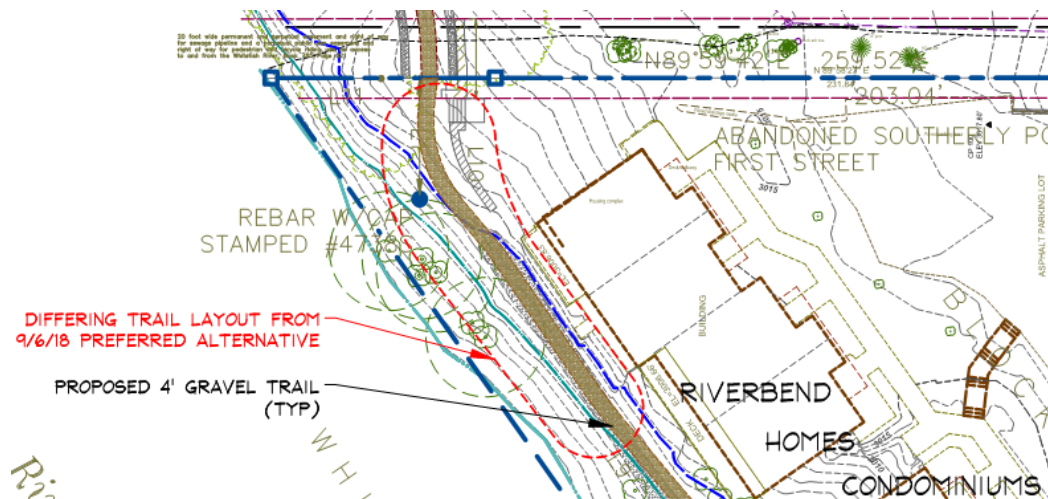


Figure 5. Riverbend Route - January 9, 2018 Alternative

Figure 6 indicates the changes requested to modify the Riverbend Route, within the red dotted line, per the request of the Riverbend Home Condominium owner.

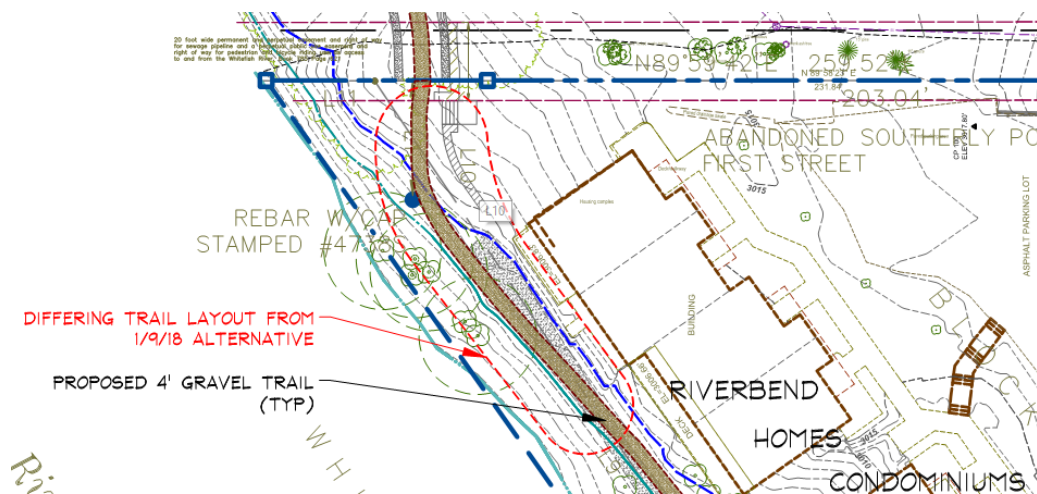


Figure 6 Whitefish River Trail Extension – September 6, 2018 Preferred and Proposed Alternative

Alternative D: Miles Avenue Route with Switchbacks and Retaining Wall

In July 2013, Robert Peccia & Associates (RPA) evaluated an alternative route from the aforementioned Riverbend Route that examined avoiding locating the trail on the Riverbend Homes Condominiums property. In order to replace the stairway and maintain a moderate grade on the path, RPA determined that four successive switchbacks would be necessary to bring the path up to Miles Avenue from where the path stops on the north side below the Hwy 93 Bridge. The switchbacks would maintain slopes between 0.0% to 5.0% grade at some points and the highest slope at 10.0-12.0%. It was found that this option would fail to meet the purpose requirements for a shared-use path due to steep grades and inadequate width. Additionally, the design would necessitate the construction of cast-in-place concrete retaining walls (one being over 10-feet tall), hand rails, extensive curb and gutter throughout, and require securing a new

Hand-drawn map of the MDT Bridge area, showing the Wolf River, River Bend, and various proposed and existing infrastructure. The map includes labels for "MILES AVE", "MDT BRIDGE", "WOLF RIVER", and "RIVER BEND CONDUITS". It also features a scale bar (1 inch = 10 feet) and a north arrow. The map shows the river flowing from the top left towards the bottom right, with the bridge crossing it. Various proposed and existing infrastructure, including roads, bridges, and conduits, are marked with lines and labels. The map is dated 6/1/15 and includes a signature "By BOD on 6/1/15".

Alternative E: Raised Boardwalk with Helical Piers

11. Evaluation and listing of mitigation, stipulation, or other control measures:

10

The following mitigation and conservation measures are proposed to avoid or minimize project impacts on the physical and human environment:

- A Section 404 permit is anticipated due to unavoidable impacts on the Whitefish River, a Water of the U.S. The design of the pedestrian path will avoid and minimize impacts on the river to the extent practicable.
- Water quality impacts would be minimized through compliance with the various state and federal water quality regulations that are anticipated for the proposed project, including any permit special conditions, as well as other conservation measures identified by the regulatory agencies during the permitting process.
- Construction will occur in the fall when the water level is lower as to minimize impacts on the river. Straw wattles will be installed on the river side of the path construction and remain in place until the path construction is completed and re-vegetated areas are established.
- Best Management Practices for storm water control will be enforced per the City of Whitefish and Montana DEQ standards for the potential of discharge from the construction activities into state waters. The construction contractor would be responsible for conducting routine site monitoring to ensure all pollution control measures are installed, maintained, and functioning correctly.
- The City has demonstrated through hydraulic modeling that the alterations to the streambank by the Proposed Alternative are minor enough that No Rise in the water surface elevation will occur and would be consistent with local floodplain regulations.
- The City of Whitefish Floodplain Administrator will participate in the design approval of the trail constructed within the floodplain to ensure the proposed design will safely withstand flooding and not increase the flooding risk to structures in the vicinity.
- Tree and shrub removal will be minimized to the greatest extent practicable. No tree removal is anticipated. Trees and shrubs will be trimmed as necessary for equipment access and construction activities.
- Site disturbance would be minimized to only the area absolutely necessary to complete the project.
- Any disturbed areas outside the perimeters of the path will be re-seeded with an appropriate certified weed-free native grass mix.
- A seeding/weed control special provision will be included in the final construction bid documents that include requirements for all construction equipment and vehicles to be cleaned prior to their transport to the project site.
- Additional BMPs will be implemented to ensure protection of regulated aquatic resources:
 - Reduction of project duration and length of time soils are allowed to remain unprotected.
 - Locate staging or storage areas at least 50 feet (15.2 m) horizontally from any aquatic resource, top of stream bank, or the highest anticipated water level during the construction period, whichever is furthest from the resource.
 - Store and handle petroleum products, chemicals, cement and other deleterious materials to prevent their entering regulated aquatic resources.
 - Clean, maintain, and operate equipment so that petroleum-based products do not leak or spill into any regulated aquatic resource.

PART II. ENVIRONMENTAL REVIEW CHECKLIST

Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.

A. PHYSICAL ENVIRONMENT

| 1. <u>LAND RESOURCES</u> Will the proposed action result in: | IMPACT | | | | | |
|--|---------|------|-------|-------------------------|-------------------------|---------------|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Soil instability or changes in geologic substructure? | | | X | | Yes | 1.a. |
| b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility? | | | X | | Yes | 1.b. |
| c. Destruction, covering or modification of any unique geologic or physical features? | | X | | | | |
| d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake? | | | X | | Yes | 1.d. |
| e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard? | | X | | | | |

1.a. The compaction of imported fill and materials will improve the stability of the stream bank.

1.b. BMPs implemented during construction will reduce the possibility of erosion and sedimentation affecting water quality.

1.d. The proposed trail would not affect the overall morphology of the river. Impacts on the river are limited to 70 linear feet of fill within the ordinary high water mark. The proposed trail will be constructed in compliance with the federal, state, and local regulations.

| 2. <u>AIR</u> Will the proposed action result in: | IMPACT * | | | | | |
|--|----------|------|-------|-------------------------|-------------------------|---------------|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Emission of air pollutants or deterioration of ambient air quality? (Also see 13 (c).) | | | X | | Yes | 2.a. |
| b. Creation of objectionable odors? | | | X | | Yes | See 2.a. |
| c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally? | | X | | | | |
| d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants? | | X | | | | |
| e. For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air quality regulations? (Also see 2a.) | | X | | | | |

2.a. No long-term impacts on air quality would occur. Construction of the project would result in short-term, temporary impacts during construction due to equipment emissions and fugitive dust. Standard BMPs will be used to during construction to minimize potential air quality impacts.

| 3. <u>WATER</u> Will the proposed action result in: | IMPACT | | | | | |
|---|---------|------|-------|-------------------------|-------------------------|---------------|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity? | | | X | | Yes | 3.a. |
| b. Changes in drainage patterns or the rate and amount of surface runoff? | | | X | | Yes | 3.b. |
| c. Alteration of the course or magnitude of floodwater or other flows? | | X | | | | 3.c. |
| d. Changes in the amount of surface water in any water body or creation of a new water body? | | X | | | | |
| e. Exposure of people or property to water related hazards such as flooding? | | X | | | | See 3.c. |
| f. Changes in the quality of groundwater? | | X | | | | |
| g. Changes in the quantity of groundwater? | | X | | | | |
| h. Increase in risk of contamination of surface or groundwater? | | X | | | | 3.h. |
| i. Effects on any existing water right or reservation? | | X | | | | |
| j. Effects on other water users as a result of any alteration in surface or groundwater quality? | | X | | | | |
| k. Effects on other users as a result of any alteration in surface or groundwater quantity? | | X | | | | |
| l. For P-R/D-J, will the project affect a designated floodplain? (Also see 3c.) | | | X | | Yes | See 3.c. |
| m. For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.) | | | X | | Yes | See 3.a. |

3.a. Discharge directly in to the Whitefish River will be avoided through use of BMPs. Approximately 280 cubic feet, or about 10 cubic yards, of clean fill material will be placed below the ordinary high water mark affecting approximately 70 linear feet of the river. Construction timing will occur in the fall when the river level is lowest as to avoid and minimize impacts on water quality. Standard Best Management Practices will be required and enforced in accordance with City of Whitefish and Montana DEQ requirements as to avoid and minimize temporary increases in turbidity.

3.b. The proposed trail will be constructed of gravel, which will provide a level of permeability during rain events. The proposed path is not anticipated to measurably affect the amount of surface runoff to any receiving waters.

3.c. The proposed design has been demonstrated to result in a no-rise condition on the base surface water elevations of the river. No increase of flooding would occur as a result of the proposed project. A floodplain permit will be required and the project would be constructed in

accordance with local floodplain regulations. The proposed design will encroach upon approximately 1,715 sq. ft. of the 100-year floodplain.

3.h. BMPs and conservation measures described in Part I, Section 11 would be implemented during construction to reduce risk of water quality contamination from petroleum products.

| 4. <u>VEGETATION</u> Will the proposed action result in? | IMPACT | | | | | |
|--|---------|------|-------|-------------------------|-------------------------|---------------|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)? | | | X | | Yes | 4.a. |
| b. Alteration of a plant community? | | | X | | Yes | 4.b. |
| c. Adverse effects on any unique, rare, threatened, or endangered species? | | X | | | | 4.c. |
| d. Reduction in acreage or productivity of any agricultural land? | | X | | | | |
| e. Establishment or spread of noxious weeds? | | X | | | | 4.e. |
| f. For P-R/D-J, will the project affect wetlands, or prime and unique farmland? | | X | | | | 4.f. |
| g. Other: | | X | | | | |

4.a. Tree and shrub removal will be minimized to the greatest extent practicable. No tree removal is anticipated. Trees and shrubs will be trimmed as necessary for equipment access and construction activities.

4.b. There are non-native grasses and non-native willow trees present on the site. The gravel path would cover four feet of grass in some areas. The path has been designed to avoid impacting the trees except for some trimming of a few branches of the tree located at the south end of the project. Any disturbed areas outside the perimeters of the path will be re-seeded with an appropriate certified weed-free native grass mix.

4.c. A search of the Montana Natural Heritage Program's (MTNHP) Species of Concern (SOC) database identified no Montana vascular plant SOC within the immediate project area vicinity.

4.e. Refer to the noxious weed conservation measures described in Part I, Section 11.

4.f. No wetland impacts would occur under the proposed action. The project area is developed and no prime or unique farmland would be converted.

| 5. <u>FISH/WILDLIFE</u> Will the proposed action result in: | IMPACT | | | | | |
|--|---------|------|-------|-------------------------|-------------------------|---------------|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Deterioration of critical fish or wildlife habitat? | | X | | | | 5.a. |
| b. Changes in the diversity or abundance of game animals or bird species? | | X | | | | |
| c. Changes in the diversity or abundance of nongame species? | | X | | | | |
| d. Introduction of new species into an area? | | X | | | | |
| e. Creation of a barrier to the migration or movement of animals? | | X | | | | |
| f. Adverse effects on any unique, rare, threatened, or endangered species? | | X | | | | 5.f. |
| g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)? | | X | | | | |
| h. For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f.) | | X | | | | See 5.a. |
| i. For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d.) | | X | | | | |

5.a. The FWP MFISH Mapper identifies bull trout and westslope cutthroat trout, both state SOC, as inhabiting the Whitefish River. Bull trout are federally listed as threatened under the Endangered Species Act. The Whitefish River is not federally designated as critical habitat for bull trout. Neither of these species are likely to use the river in the vicinity of the project for spawning. Construction of the project will occur during a period of low river flows as to avoid placing fill directly into the river, thus avoiding impacts on critical fish habitat. The proposed project will not require any removal of trees and would have negligible effect on instream shading and reduction of large woody debris.

5.f. The MTNHP General Observations database was reviewed on February 11, 2019 to identify state SOC with documented occurrences or potential to occur in the project area. One amphibian SOC, the western toad (*Anaxyrus boreas*), has been documented in the project area vicinity. Four bird SOC and bald eagle, a special status species, are documented in the vicinity of the project area. Bird SOC that may use the project area for nesting or foraging include: evening grosbeak (*Coccothraustes vespertinus*), ferruginous hawk (*Buteo regalis*), golden eagle (*Aquila chrysaetos*), and great blue heron (*Ardea herodias*). No mammal, amphibian, invertebrate, or vascular plant SOC were identified by MTNHP within the immediate project area. Fish SOC are discussed in 5.a. above. Potential impact on the western toad is anticipated to be minor and discountable given the minimum area of impact affecting potential suitable habitat for this species. Because no tree or shrub removal is anticipated to construct the proposed project, no impact on any bird SOC would occur.

B. HUMAN ENVIRONMENT

| 6. <u>NOISE/ELECTRICAL EFFECTS</u> Will the proposed action result in: | IMPACT | | | | | |
|--|---------|------|-------|-------------------------|-------------------------|---------------|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Increases in existing noise levels? | | | X | | Yes | 6.a. |
| b. Exposure of people to serve or nuisance noise levels? | | X | | | | |
| c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property? | | X | | | | |
| d. Interference with radio or television reception and operation? | | X | | | | |

6.a. Construction of the project will result in temporary increases in noise due to construction activities. These effects would be minor and temporary and limited to normal daylight hours of operations. The increased in bicycle and pedestrian traffic on the waterfront side of the condominiums would expose residents to new noise sources.

| 7. <u>LAND USE</u> Will the proposed action result in: | IMPACT | | | | | |
|--|---------|------|-------|-------------------------|-------------------------|---------------|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Alteration of or interference with the productivity or profitability of the existing land use of an area? | | | X | | Yes Positive | 7.a. |
| b. Conflicted with a designated natural area or area of unusual scientific or educational importance? | | X | | | | |
| c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action? | | X | | | | |
| d. Adverse effects on or relocation of residences? | | | X | | Yes Positive | See 7.a. |

7.a. The introduction of a new trail has potential to positively benefit property values in the project area vicinity. Research shows that homes near trails often have higher property value, with a price premium ranging from five to ten percent in most studies (Headwaters Economics, 2016). While the proposed trail will affect the views of a few residences of the Riverbend Condominiums and create new bicycle and pedestrian traffic, the net benefit to the general public would offset these impacts affecting a very small population.

| 8. <u>RISK/HEALTH HAZARDS</u> Will the proposed action result in: | IMPACT | | | | | |
|---|---------|------|-------|-------------------------|-------------------------|---------------|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption? | | X | | | | |
| b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan? | | X | | | | |

| 8. <u>RISK/HEALTH HAZARDS</u> Will the proposed action result in: | IMPACT | | | | | |
|--|----------------|-------------|--------------|--------------------------------|--------------------------------|----------------------|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| c. Creation of any human health hazard or potential hazard? | | X | | | | |
| d. For P-R/D-J, will any chemical toxicants be used? (Also see 8a) | | X | | | | |

| 9. <u>COMMUNITY IMPACT</u> Will the proposed action result in: | IMPACT | | | | | |
|--|----------------|-------------|----------------|--------------------------------|--------------------------------|----------------------|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Alteration of the location, distribution, density, or growth rate of the human population of an area? | | X | | | | 9.a. |
| b. Alteration of the social structure of a community? | | | X | | Yes Positive | 9.b. |
| c. Alteration of the level or distribution of employment or community or personal income? | | X | | | | |
| d. Changes in industrial or commercial activity? | | X | | | | |
| e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods? | | | X ⁹ | | Yes Positive | 9.b. |

9.a. The proposed project would have no effect on the location, distribution, density, or growth rate of the community.

9.b. The proposed project would result in a beneficial impact on the community as it will increase safety for bicyclists and pedestrians by keeping trail users from unnecessarily crossing the highway and increase convenience and enjoyment of trail users in the community.

| 10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u> Will the proposed action result in: | IMPACT | | | | | |
|---|----------------|-------------|--------------|--------------------------------|--------------------------------|----------------------|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify: | | X | | | | 10.a. |
| b. Will the proposed action have an effect upon the local or state tax base and revenues? | | | X | | Yes Positive | 10.b. |
| c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications? | | X | | | | |
| d. Will the proposed action result in increased use of any energy source? | | X | | | | |
| e. Define projected revenue sources | | X | | | | |

| | | | | | | |
|--|--|--|---|--|-----|-----------|
| | | | | | | |
| f. Define projected maintenance costs. | | | X | | Yes | See 10.a. |

10.a. The proposed project is anticipated to result in the minimal need for additional city services or maintenance. The City will be expected to maintain the trail and post signage for when the trail is inundated with water during high water events. The cost of maintenance has not been identified but is well within the existing resources and capacity of the City.

10.b. Previous research has shown that as trails increase property values, local governments can benefit by receiving more property tax revenue. Depending on the situation, this revenue can help to partially offset construction and maintenance of the project.

| 11. <u>AESTHETICS/RECREATION</u> Will the proposed action result in: | IMPACT | | | | | |
|---|---------|------|-------|-------------------------|-------------------------|---------------|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view? | | | X | | Yes | 11.a. |
| b. Alteration of the aesthetic character of a community or neighborhood? | | | X | | Yes | 11.b. |
| c. Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report.) | | | X | | Yes Positive | 11.c. |
| d. For P-R/D-J, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c.) | | X | | | | |

11.a. The proposed project will affect the existing views of the river as seen by the residents of the Riverbend Condominiums. This may be seen as a positive or negative effect, depending on the views and acceptance of the proposed project by the residents. The project area is generally not visible to the public, and thus implementation of the proposed project would not be expected to negatively alter any existing vistas available for public view.

11.b. The proposed project would increase the availability of scenic vistas and positively benefit the larger general public by constructing a publicly accessible trail along the riverfront.

11.c. The proposed project would positively benefit the quality and quantity of recreational opportunities in the community. The proposed design will mimic the charming, meandering style of the rest of the trail network.

| 12. <u>CULTURAL/HISTORICAL RESOURCES</u> Will the proposed action result in: | IMPACT | | | | | |
|---|----------------|-------------|--------------|--------------------------------|--------------------------------|----------------------|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance? | | X | | | | 12.a |
| b. Physical change that would affect unique cultural values? | | X | | | | |
| c. Effects on existing religious or sacred uses of a site or area? | | X | | | | |
| d. For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a.) | | X | | | | |

12. a. The proposed project is located in a developed region of the City of Whitefish. Due to the nature of the project and location in a pre-disturbed portion of the city, there is minimal to no potential of undiscovered cultural resources to be present. FWP will contact the State Historic Preservation Office (SHPO) prior to the commencement of construction to seek a concurrence from SHPO on no effect for the proposed action. If cultural materials are discovered during construction, work would cease and SHPO would be contacted for a more in-depth investigation.

C. SIGNIFICANCE CRITERIA

| 13. <u>SUMMARY EVALUATION OF SIGNIFICANCE</u> Will the proposed action, considered as a whole: | IMPACT | | | | | |
|---|----------------|-------------|--------------|--------------------------------|--------------------------------|----------------------|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.) | | X | | | | 13.a. |
| b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur? | | X | | | | |
| c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan? | | X | | | | |
| d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed? | | X | | | | |
| e. Generate substantial debate or controversy about the nature of the impacts that would be created? | | X | | | | |
| f. For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.) | | X | | | | 13.f. |
| g. For P-R/D-J, list any federal or state permits required. | | X | | | | 13.g. |

13.a. It has been determined that the proposed project, based on information and findings presented above, meets the following criteria:

- Does not induce significant impacts to planned growth or land use for the area;
- Does not require the relocation of any people or businesses;

- Does not have significant impact on any natural, cultural, recreational, historic or other resource;
- Does not involve significant air, noise, or water quality impacts;
- Does not otherwise, either individually or cumulatively, have any significant environmental impacts.

13.f. The City of Whitefish will conduct additional public outreach as the project progresses and prior to construction.

13.g. See Part I, Section 8 for a list of federal and state permits required to construct the proposed project.

PART III. NARRATIVE EVALUATION AND COMMENT

Permanent impacts on the physical and human environment as a result of the proposed project are anticipated to be minor and discountable. The proposed project requires minor encroachment below the ordinary high water mark and the 100-year floodplain of the Whitefish River. The proposed project requires obtaining several water quality permits prior to construction and will adhere to the permit special conditions as well as other reasonable conservation measures identified by the resource agencies during the permitting process.

Construction of the proposed project would result in minor and temporary impacts on the physical environment. Construction impacts in general would be short-term and limited to the time required to construct the project. Standard BMPs, such as timing construction during low flows and implementation of sediment and erosion controls, will substantially minimize the potential for adverse effects to water quality.

The minor impacts on the environment identified in the previous section are small in scale and intensity and would have no effect on the overall environment of the surrounding vicinity. The proposed project is located in a highly developed area along the Whitefish River corridor influenced by the presence of Hwy 93 immediately adjacent to the project area. Wildlife that potentially may use the project area are accustomed to moderate to high levels of human disturbances and noise. Construction and operation of the proposed project would not impact, either directly or indirectly, any wildlife species.

Soils disturbed during construction have potential to colonize with weeds. In general, the area of disturbance will be minor and disturbed areas would be re-seeded with an appropriate certified weed-free native grass mix. Future trail maintenance and weed spraying, as necessary, would be conducted by the City of Whitefish along this trail segment.

When considered over the long-term, the proposed project would positively impact the public safety of pedestrians and bicyclists as well as incrementally increasing the quality of life by enhancing recreational opportunities within the community. The proposed project would have no negative cumulative effects on the biological, physical, and human environments.

PART IV. PUBLIC PARTICIPATION

1. Public involvement:

The public will be notified in the following manners to comment on this current EA, the proposed action and alternatives:

1. Two public notices in each of these papers: Whitefish Pilot, Flathead Beacon, and the Independent Record in Helena
2. Public notice on the Fish, Wildlife & Parks web page: <http://fwp.mt.gov>.
3. Draft EA's will be available at the FWP Region 1 Headquarters in Kalispell and the FWP State Headquarters in Helena.
4. A news release will be prepared and distributed to a standard list of media outlets interested in FWP Region 1 issues.
5. Copies of this environmental assessment will be distributed to the neighboring landowners and interested parties to ensure their knowledge of the proposed project.

This level of public notice and participation is appropriate for a project of this scope having limited impacts, many of which can be mitigated.

The City of Whitefish has previously conducted a public involvement meeting to present the project concept and receive input on the proposed trail alignment. A public meeting was held on July 2, 2016.

2. Duration of comment period:

The public comment period will extend for (30) thirty days. Written comments will be accepted until 5:00 p.m., May 31, 2019 and can be mailed or emailed to the addresses below:

Kenneth Breidinger
Montana Fish, Wildlife & Parks
490 North Meridian Road
Kalispell, MT 59901
kbreidinger@mt.gov

PART V. ENVIRONMENTAL ASSESSMENT PREPARATION

1. **Based on the significance criteria evaluated in this EA, is an EIS required? (YES/NO)?** No

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.

Based on an evaluation of impacts to the physical and human environment under MEPA, this environmental review revealed no significant negative impacts from the proposed project. As described above, the proposed project does not otherwise, either individually or cumulatively, have any significant environmental impacts. As such, an EIS is not required.

2. Person(s) responsible for preparing the EA:

Elizabeth English, HDR Inc., 700 SW Higgins, Missoula, MT 59801

3. List of agencies or offices consulted during preparation of the EA:

City of Whitefish

Montana Fish Wildlife & Parks

APPENDIX SECTION

APPENDIX A – Project Qualification Checklist

23-1-110 MCA

Date: February 5, 2019

Person Reviewing: Kenny Breidinger, *Biologist*,
Fisheries Division, Montana Fish, Wildlife & Parks, Region 1

Project Location:

The project site is located along the Whitefish River, immediately upstream from the U.S. Highway 93/Second Street bridge with the nearest applicable address being 102-138 Miles Avenue and 4 Miles Avenue. The proposed trail would extend between the coordinates 48°24'38.80"N, 114°20'33.52"W and 48°24'43.92"N, 114°20'38.09"W.

Description of Proposed Work:

The project includes construction of approximately 650 LF of four-foot wide gravel pedestrian path. The path would be located within an existing easement near the Whitefish River, along the Riverbend Condominium property. It would then continue north further from the river on the Inspiration Drive Property. The path would then connect on BNSF property to the existing City bicycle and pedestrian path.

The following checklist is intended to be a guide for determining whether a proposed development or improvement is of enough significance to fall under 23-1-110 rules. (Please check ☐ all that apply and comment as necessary.)

- ☐ A. New roadway or trail built over undisturbed land?
Comments: *The proposed trail is within a residential developed area. The land has been previously disturbed by past developments.*
- ☐ B. New building construction (buildings <100 sf and vault latrines exempt)?
Comments: *Not applicable.*
- ☐ C. Any excavation of 20 c.y. or greater?
Comments: *Only topsoil will be removed.*
- ☐ D. New parking lots built over undisturbed land or expansion of existing lot that increases parking capacity by 25% or more?
Comments: *Not applicable.*
- ☐ E. Any new shoreline alteration that exceeds a doublewide boat ramp or handicapped fishing station?
Comments: *Not applicable.*
- ☒ F. Any new construction into lakes, reservoirs, or streams?
Comments: *Approximately 70 linear feet of trail (280 cubic feet, or about 10 cubic*

yards of fill) will be within the jurisdictional ordinary high water mark of the Whitefish River. Construction would be timed to occur during low flows to avoid and minimize discharge directly into the river.

- [] G. Any new construction in an area with National Registry quality cultural artifacts (as determined by State Historical Preservation Office)?
Comments: *Not applicable.*
- [] H. Any new above ground utility lines?
Comments: *Not applicable.*
- [] I. Any increase or decrease in campsites of 25% or more of an existing number of campsites?
Comments: *Not applicable.*
- [] J. Proposed project significantly changes the existing features or use pattern; including effects of a series of individual projects?
Comments: *Not applicable.*

If any of the above are checked, 23-1-110 MCA rules apply to this proposed work and should be documented on the MEPA/HB495 CHECKLIST. Refer to MEPA/HB495 Cross Reference Summary for further assistance.

APPENDIX B – Proposed Action Conceptual Site Plan

APPENDIX C – City of Whitefish 1983 Grant of Easement

APPENDIX D – 2016 Riverbend Condo Presentation

APPENDIX E – WGM No Rise Memo

APPENDIX F – RPA Tech Memo Alternatives Evaluation